



217/782-6761

Refer to: 0316500002 -- Cook County  
LTV Steel  
ILD056623598  
Compliance File

EPA Region 5 Records Ctr.



307750

PRE-ENFORCEMENT CONFERENCE LETTER

Certified # *P115 235547*

July 25, 1989

LTV Steel  
ATTN: Mike Thomas  
11600 South Burley  
Chicago, Illinois 60617

Dear Mr. Thomas:

By copy of this letter the Agency hereby informs LTV Steel of apparent violations of the Illinois Environmental Protection Act and/or rules and regulations adopted thereunder. These apparent violations are set forth in Attachment A of this letter.

As a result of these apparent violations, it is our intent to refer this matter to the Agency's legal staff for the preparation of a formal enforcement case. The Agency's legal staff will, in turn, refer this matter to the Office of Attorney General or to the United States Environmental Protection Agency for the filing of a formal complaint.

Prior to taking such action, however, you are requested to attend a Pre-Enforcement Conference to be held at the Division of Land Pollution Control, 1701 South First Avenue, Suite 600, Maywood, Illinois. The purpose of this Conference will be:

1. To discuss the validity of the apparent violations noted by Agency staff, and
2. To arrive at a program to eliminate existing and/or future violations.

You should, therefore, bring such personnel and records to the conference as will enable a complete discussion of the above items. We have scheduled the Conference for Wednesday, August 16, 1989, at 1:30 pm. If this arrangement is inconvenient, please contact Chuck Gruntman at 312/345-9780 to arrange for an alternative date and time.



Page 2

In addition, please be advised that this letter constitutes the notice required by Section 31(d) of the Illinois Environmental Protection Act prior to the filing of a formal complaint. The cited Section of the Illinois Environmental Protection Act requires the Agency to inform you of the charges which are to be alleged and offer you the opportunity to meet with appropriate officials within thirty days of this notice date in an effort to resolve such conflict which could lead to the filing of formal action.

Sincerely,

A handwritten signature in dark ink, appearing to read "Harry A. Chappel", written over a horizontal line.

Harry A. Chappel, P.E., Manager  
Compliance Section  
Division of Land Pollution Control

*aat*  
HAC:RF:BW:lab/2469k, 90-91

Attachment

cc: Division File  
Maywood Region  
Rich Finley  
Chuck Gruntman  
Brian White



Attachment A

1. Pursuant to 35 Ill. Adm. Code 722.134(a), except as provided in subsections (d), (e) or (f), a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:
  1. The waste is placed in containers and the generator complies with 35 Ill. Adm. Code 725. Subpart I or the waste is placed in tanks and the generator complies with 35 Ill. Adm. Code 725. Subpart J except 35 Ill. Adm. Code 725.297(c) and 725.300. In addition, such a generator is exempt from all the requirements in 35 Ill. Adm. Code 725. Subparts G and H, except for 35 Ill. Adm. Code 725.211 and 725.214;
  2. The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
  3. While being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste", and
  4. The generator complies with the requirements for owners or operators in 35 Ill. Adm. Code 725 Subparts C (Preparedness and Prevention) and D (Contingency Plan and Emergency Procedures) and with 35 Ill. Adm. Code 725.116 (Personnel Training).

You are in apparent violation of 35 Ill. Adm. Code 722.134(a) in that item(s) 1 and 4 above was/were not complied with.

Specifically, the requirements of item 1 and/or 4 above (listed by regulation) which were not complied with, as well as the deficiencies observed, are:

- A. Pursuant to 35 Ill. Adm. Code 725.152(a), the contingency plan must describe the actions facility personnel must take to comply with Sections 725.151 and 725.156 in response to fires, explosions or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water at the facility. You are in apparent violation of 35 Ill. Adm. Code 725.152(a) for the following reason(s): Your contingency plan does not adequately describe responses to explosions, fires, or releases of hazardous wastes.
- B. Pursuant to 35 Ill. Adm. Code 725.152(c), the contingency plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors and state and local emergency response teams to coordinate emergency services, pursuant to Section 725.137. You are in apparent violation of 35 Ill. Adm. Code 725.152(c) for the following reason(s): Your contingency plan does not describe such arrangements.



Page 2

- C. Pursuant to 35 Ill. Adm. Code 725.152(d), the contingency plan must list names, addresses and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see 725.155) and must be kept up to date. You are in apparent violation of 35 Ill. Adm. Code 725.152(d) for the following reason(s): The Emergency Coordinator is not identified.
- D. Pursuant to 35 Ill. Adm. Code 725.152(e), the contingency plan must include an up-to-date list of all emergency equipment at the facility. The plan must include the location and a physical description of each item and a brief outline of its capabilities. You are in apparent violation of 35 Ill. Adm. Code 725.152(e) for the following reason(s): There is not a list of emergency equipment.
- E. Pursuant to 35 Ill. Adm. Code 725.152(f), the contingency plan must include an evacuation plan for facility personnel, if necessary. You are in apparent violation of 35 Ill. Adm. Code 725.152(f) for the following reason(s): Your contingency plan does not describe evacuation procedures.
- F. Pursuant to 35 Ill. Adm. Code 725.153, a copy of the contingency plan and all revisions to the plan must be:
  - a) Maintained at the facility; and
  - b) Submitted to all local police departments, fire departments, hospitals and state and local emergency response teams that may be called upon to provide emergency services.

You are in apparent violation of 35 Ill. Adm. Code 725.153 in that condition(s) a. above was/were not complied with. Specifically, revisions to your contingency plan are not maintained at the facility.

- G. Pursuant to 35 Ill. Adm. Code 725.296, a tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, must be removed from service immediately. The owner or operator shall satisfy the following requirements:
  - a. Cease using; prevent flow or addition of wastes. The owner or operator shall immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.
  - b. Removal of waste from tank system or secondary containment system.



1. If the release was from the tank system, the owner or operator shall, within 24 hours after detection of the leak, remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed.
2. If the release was to a secondary containment system, all released materials must be removed within 24 hours to prevent harm to human health and the environment.
  - c. Containment of visible releases to the environment. The owner or operator shall immediately conduct a visual inspection of the release and, based upon that inspection:
    1. Prevent further migration of the leak or spill to soils or surface water; and
    2. Remove, and properly dispose of, any visible contamination of the soil or surface water.

You are in apparent violation of 35 Ill. Adm. Code 725.296 for the following reason(s): A tank from which there has been a leak, is still being used to store spent pickle liquor.

- H. Pursuant to 35 Ill. Adm. Code 725.296(f), if the owner or operator has repaired a tank system in accordance with subsection (e), and the repair has been extensive (e.g., installation of an internal liner, repair of a ruptured primary containment or secondary containment vessel), the tank system must not be returned to service unless the owner or operator has obtained a certification by an independent qualified, registered professional engineer in accordance with 35 Ill. Adm. Code 702.126(d) that the repaired system is capable of handling hazardous wastes without release for the intended life of the system. This certification must be submitted to the Agency within seven days after returning the tank system to use.

(Board Note: Section 725.115(c) for the requirements necessary to remedy a failure. Also, 40 CFR 302 (1986) requires the owner or operator to notify the National Response Center of a release of any (Reportable Quantity".)

You are in apparent violation of 35 Ill. Adm. Code 725.296(f) for the following reason(s): There is no evidence that the primary tank system, used to store hazardous waste, has been repaired..